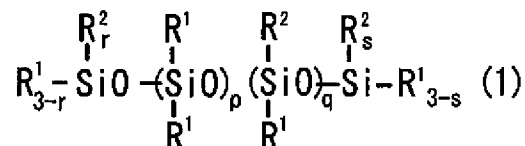


AMENDMENTS TO THE CLAIMS

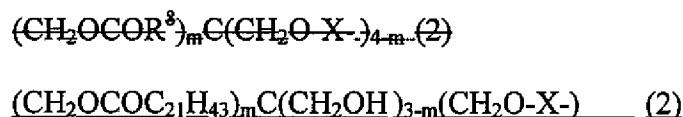
1. **(Currently Amended)** A cosmetic comprising:

an organopolysiloxane wax represented by the following formula (1),



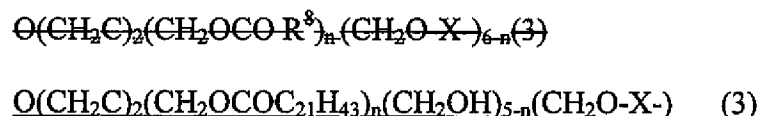
wherein R^1 is a group selected from the group consisting of alkyl groups having 1 to 20 carbon atoms, alicyclic groups, aryl groups, aralkyl groups and fluorinated alkyl groups;

R^2 is a group having a pentaerythritol higher fatty acid polyester residue represented by the following formula (2),



wherein $1 \leq m < 4$,

or a group having a dipentaerythritol higher fatty acid polyester residue represented by the following formula (3),



wherein $1 \leq n < 6$,

R^8 in the formulae (2) and (3) being a linear, saturated or unsaturated, aliphatic group having 17 to 30 carbon atoms,

-X- in the formulae (2) and (3) being any one of the following moieties,



wherein R^3 is a C_3 - C_8 alkylene group or a cycloalkylene group, R^4 is a C_4 - C_{20} aliphatic or alicyclic group having at least one group selected from the group consisting of carboxyl, carbonyloxy and hydroxyl groups,

p, q, r and s each is a number with $0 \leq p \leq 200$, $0 \leq q \leq 200$, $0 \leq r \leq 3$, and $0 \leq s \leq 3$, provided that $0 \leq p+q \leq 200$ and $1 \leq q+r+s$; and

(a) a silicone oil which is liquid at 25 °C in an amount of from 1 to 70 wt% based on a total weight of the cosmetic.

2. (Original) The cosmetic according to claim 1, wherein R^4 is any one of the following moieties,

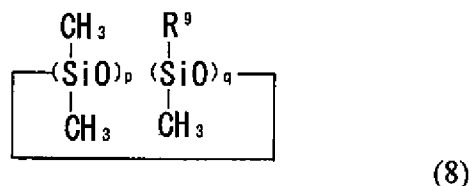
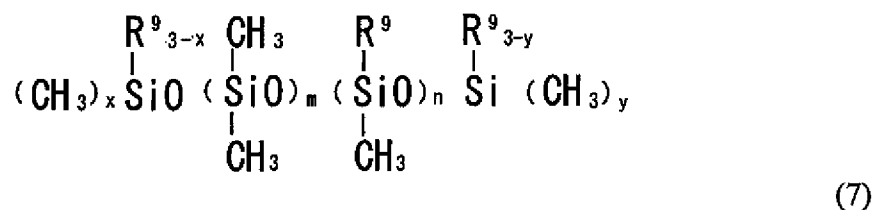


wherein R^5 is a C_3 - C_8 alkylene or cycloalkylene group, R^6 is a C_3 - C_8 alkylene group, and R^7 is a C_3 - C_8 alkylene or cycloalkylene group.

3. (Previously Presented) The cosmetic according to claim 1, wherein the organopolysiloxane wax has a weight average molecular weight, reduced to polystyrene, of from 1,000 to 8,000.

4. (Cancelled)

5. **(Currently Amended)** The cosmetic according to claim [[4]] 1, wherein the silicone oil (a) is at least one selected from the group consisting of linear organopolysiloxanes represented by the following formula (7), cyclic organopolysiloxanes represented by the following formula (8) and branched organopolysiloxanes represented by the following formula (9),



wherein R^9 is selected from the group consisting of a hydrogen atom, a hydroxyl group, unsubstituted or fluorinated alkyl groups having 1 to 20 carbon atoms, aryl groups, amino-substituted alkyl groups, alkoxy groups and a group represented by the formula, $(\text{CH}_3)_3\text{SiO}\{(\text{CH}_3)_2\text{SiO}\}_s\text{Si}(\text{CH}_3)_2\text{CH}_2\text{CH}_2-$, wherein m is an integer of from 0 to 1000, n is an integer of from 0 to 1000, with $m+n$ ranging from 1 to 1000, x and y each is 0, 1, 2 or 3, p and q each is an integer of from 0 to 8 with $3 \leq p+q \leq 8$, r is an integer of from 1 to 4 and s is an integer of from 0 to 500.

6. (Original) The cosmetic according to claim 5, wherein the silicone oil (a) is a dimethylpolysiloxane having a viscosity of from 1 to 30 mm²/s at 25 °C.

7. (Original) The cosmetic according to claim 5, wherein the silicone oil (a) is decamethylcyclopentasiloxane.

8. (Currently Amended) The cosmetic according to claim [[4]] 1, wherein the silicone oil (a) is a crosslinked organopolysiloxane swollen with a silicone oil having a viscosity of from 0.65 to 10.0 mm²/s in an amount larger than or equal to the weight of the crosslinked organopolysiloxane itself.

9. (Original) The cosmetic according to claim 8, wherein the crosslinked organopolysiloxane has at least one moiety selected from the group consisting of polyoxyalkylene, polyglycerin, alkyl, alkenyl, aryl, and fluoroalkyl moieties.

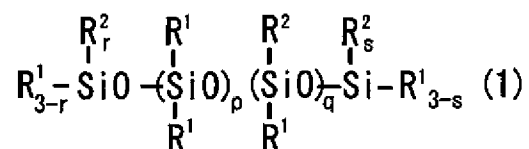
10. (Currently Amended) The cosmetic according to claim [[4]] 1, wherein the silicone oil (a) is an acrylic silicone resin dissolved in a volatile silicone, a volatile hydrocarbon oil, a non-volatile silicone, or a non-volatile hydrocarbon oil, said acrylic silicone resin being semisolid or solid at room temperature.

11. (Original) The cosmetic according to claim 10, wherein the acrylic silicone resin has at least one moiety selected from the group consisting of pyrrolidone, long alkyl chains, polyoxyalkylene, and fluoroalkyl moieties.

12. **(Currently Amended)** The cosmetic according to claim [[4]] 1, wherein the silicone oil (a) is a gummy linear silicone dissolved in decamethylcyclopentasiloxane, said gummy linear silicone being represented by the formula, $(\text{CH}_3)_3\text{SiO}\{(\text{CH}_3)_2\text{SiO}\}_t\{(\text{CH}_3)\text{R}^{10}\text{SiO}\}_u\text{Si}(\text{CH}_3)_3$, wherein R^{10} is selected from the group consisting of alkyl groups having 6 to 20 carbon atoms, amino-substituted alkyl groups having 3 to 15 carbon atoms, fluorinated alkyl groups, alkyl groups having quarterly ammonium group, t ranges from 1001 to 20000, and u ranges from 0 to 5000 with t+u ranging from 1001 to 25000.

13. **(Currently Amended)** The cosmetic according to claim [[4]] 1, wherein the silicone oil (a) is a silicone network compound dissolved in decamethylcyclopentasiloxane, said silicone network compound being selected from the group consisting of silicone network compounds represented by MQ, MDQ, MT, MDT, or MDTQ and silicone network compounds having at least one moiety selected from the group consisting of pyrrolidone, long alkyl chains, polyoxyalkylene, fluoroalkyl and amino moieties.

14. **(Currently Amended)** ~~The A cosmetic according to claim 1, comprising:~~
an organopolysiloxane was represented by the following formula (1),



wherein R^1 is a group selected from the group consisting of alkyl groups having 1 to 20 carbon atoms, alicyclic groups, aryl groups, aralkyl groups and fluorinated alkyl groups;

R² is a group having a pentaerythritol higher fatty acid polyester residue represented by the following formula (2).



wherein $1 \leq m < 4$.

or a group having a dipentaerythritol higher fatty acid polyester residue represented by the following formula (3).



wherein $1 \leq n < 6$.

R⁸ in the formulae (2) and (3) being a linear, saturated or unsaturated, aliphatic group having 17 to 30 carbon atoms.

-X- in the formulae (2) and (3) being any one of the following moieties.



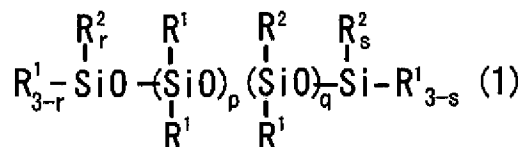
wherein R³ is a C₃-C₈ alkylene group or a cycloalkylene group, R⁴ is a C₄ - C₂₀ aliphatic or alicyclic group having at least one group selected from the group consisting of carboxyl, carbonyloxy and hydroxyl groups,

p, q, r and s each is a number with $0 \leq p \leq 200$, $0 \leq q \leq 200$, $0 \leq r \leq 3$, and $0 \leq s \leq 3$, provided that $0 \leq p+q \leq 200$ and $1 \leq q+r+s$; and wherein the cosmetic further comprises

(b) an unctuous agent, except silicone oils, in an amount of from 5 to 95 wt% based on a total weight of the cosmetic.

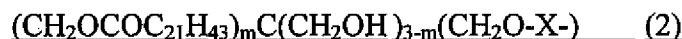
15. (Original) The cosmetic according to claim 14, wherein at least a part of the unctuous agent (b) is a solid unctuous agent having a melting point of 50 °C or higher.

16. (Currently Amended) The A cosmetic according to claim 1, comprising:
an organopolysiloxane wax represented by the following formula (1),



wherein R¹ is a group selected from the group consisting of alkyl groups having 1 to 20 carbon atoms, alicyclic groups, aryl groups, aralkyl groups and fluorinated alkyl groups;

R² is a group having a pentaerythritol higher fatty acid polyester residue represented by the following formula (2),



wherein 1 < m < 4,

or a group having a dipentaerythritol higher fatty acid polyester residue represented by the following formula (3),



wherein 1 < n < 6,

R⁸ in the formulae (2) and (3) being a linear, saturated or unsaturated, aliphatic group having 17 to 30 carbon atoms,

-X- in the formulae (2) and (3) being any one of the following moieties,

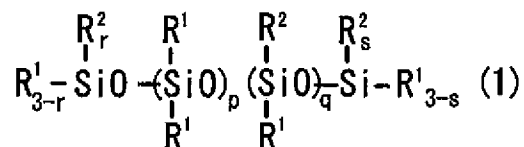


wherein R³ is a C₃-C₈ alkylene group or a cycloalkylene group, R⁴ is a C₄ - C₂₀ aliphatic or alicyclic group having at least one group selected from the group consisting of carboxyl, carbonyloxy and hydroxyl groups,

p, q, r and s each is a number with 0 ≤ p ≤ 200, 0 ≤ q ≤ 200, 0 ≤ r ≤ 3, and 0 ≤ s ≤ 3, provided that 0 ≤ p+q ≤ 200 and 1 ≤ q+r+s; and wherein the cosmetic further comprises

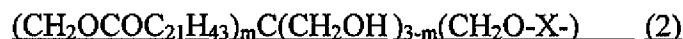
(c) a compound having an alcoholic hydroxyl group.

17. (Currently Amended) The A cosmetic according to claim 1, comprising:
an organopolysiloxane wax represented by the following formula (1),



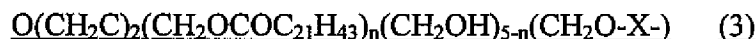
wherein R¹ is a group selected from the group consisting of alkyl groups having 1 to 20 carbon atoms, alicyclic groups, aryl groups, aralkyl groups and fluorinated alkyl groups;

R² is a group having a pentaerythritol higher fatty acid polyester residue represented by the following formula (2),



wherein 1 ≤ m < 4,

or a group having a dipentaerythritol higher fatty acid polyester residue represented by the following formula (3),



wherein 1 ≤ n < 6,

R⁸ in the formulae (2) and (3) being a linear, saturated or unsaturated, aliphatic group having 17 to 30 carbon atoms,

-X- in the formulae (2) and (3) being any one of the following moieties,

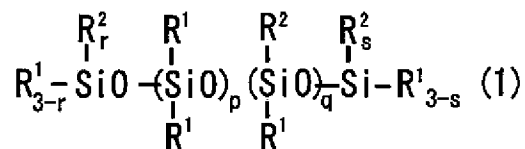


wherein R³ is a C₃-C₈ alkylene group or a cycloalkylene group, R⁴ is a C₄ - C₂₀ aliphatic or alicyclic group having at least one group selected from the group consisting of carboxyl, carbonyloxy and hydroxyl groups,

p, q, r and s each is a number with 0 ≤ p ≤ 200, 0 ≤ q ≤ 200, 0 ≤ r ≤ 3, and 0 ≤ s ≤ 3, provided that 0 ≤ p+q ≤ 200 and 1 ≤ q+r+s; and wherein the cosmetic further comprises

(d) water.

18. **(Currently Amended)** The A cosmetic according to claim 1, comprising:
an organopolysiloxane wax represented by the following formula (1),



wherein R¹ is a group selected from the group consisting of alkyl groups having 1 to 20 carbon atoms, alicyclic groups, aryl groups, aralkyl groups and fluorinated alkyl groups;

R² is a group having a pentaerythritol higher fatty acid polyester residue represented by the following formula (2),



wherein $1 \leq m < 4$,

or a group having a dipentaerythritol higher fatty acid polyester residue represented by the following formula (3),



wherein $1 \leq n < 6$,

R^8 in the formulae (2) and (3) being a linear, saturated or unsaturated, aliphatic group having 17 to 30 carbon atoms,

-X- in the formulae (2) and (3) being any one of the following moieties,



wherein R^3 is a $\text{C}_3\text{-C}_8$ alkylene group or a cycloalkylene group, R^4 is a $\text{C}_4\text{-C}_{20}$ aliphatic or alicyclic group having at least one group selected from the group consisting of carboxyl, carbonyloxy and hydroxyl groups,

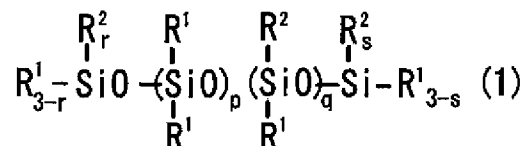
p, q, r and s each is a number with $0 \leq p < 200$, $0 \leq q < 200$, $0 \leq r \leq 3$, and $0 \leq s \leq 3$, provided that $0 \leq p+q \leq 200$ and $1 \leq q+r+s$; and wherein the cosmetic further comprises

(e) powder and/or a pigment.

19. (Original) The cosmetic according to claim 18, wherein at least a part of the powder and/or a pigment (e) is crosslinked dimethylsilicone fine powder, polymethylsilsesquioxane fine powder, silica treated to become hydrophobic, or composite fine powder of spherical silicone rubber coated with polymethylsilsesquioxane particles.

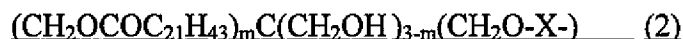
20. (Currently Amended) The A cosmetic according to claim 1, comprising:

an organopolysiloxane wax represented by the following formula (1),



wherein R¹ is a group selected from the group consisting of alkyl groups having 1 to 20 carbon atoms, alicyclic groups, aryl groups, aralkyl groups and fluorinated alkyl groups;

R² is a group having a pentaerythritol higher fatty acid polyester residue represented by the following formula (2),



wherein 1 ≤ m < 4,

or a group having a dipentaerythritol higher fatty acid polyester residue represented by the following formula (3),



wherein 1 ≤ n < 6,

R⁸ in the formulae (2) and (3) being a linear, saturated or unsaturated, aliphatic group having 17 to 30 carbon atoms,

-X- in the formulae (2) and (3) being any one of the following moieties,



wherein R³ is a C₃-C₈ alkylene group or a cycloalkylene group, R⁴ is a C₄ - C₂₀ aliphatic or alicyclic group having at least one group selected from the group consisting of carboxyl, carbonyloxy and hydroxyl groups,

p, q, r and s each is a number with $0 \leq p \leq 200$, $0 \leq q \leq 200$, $0 \leq r \leq 3$, and $0 \leq s \leq 3$, provided that $0 \leq p+q \leq 200$ and $1 \leq q+r+s$; and ~~wherein the cosmetic further comprises~~

(f) a surfactant.

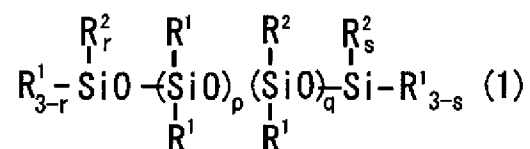
21. (Original) The cosmetic according to claim 20, wherein the surfactant (f) is at least one selected from the group consisting of polyoxyalkylene-modified organopolysiloxanes, polyglycerin-modified organopolysiloxanes and polyalkylene- and alkyl-modified organopolysiloxanes.

22. (Previously Presented) The cosmetic according to claim 1, wherein the cosmetic is in the form of liquid, milky lotion, cream, solid, paste, gel, multilayer, mousse, spray or stick.

23. (Previously Presented) The cosmetic according to claim 1, wherein the cosmetic is a skin care cosmetic, hair cosmetic, antiperspirant, makeup cosmetic, or UV-ray protective cosmetic.

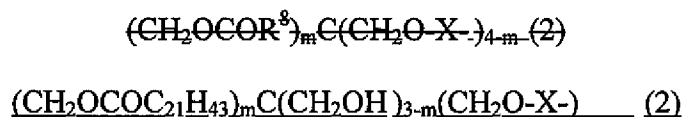
24. (Currently Amended) A composition comprising:

an organopolysiloxane wax represented by the following formula (1)



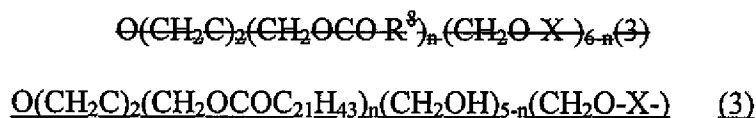
wherein R^1 is a group selected from the group consisting of alkyl groups having 1 to 20 carbon atoms, alicyclic groups, aryl groups, aralkyl groups and fluorinated alkyl groups;

R² is a group having a pentaerythritol higher fatty acid polyester residue represented by the following formula (2),



wherein $1 \leq m < 4$,

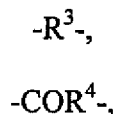
or a group having a dipentaerythritol higher fatty acid polyester residue represented by the following formula (3),



wherein $1 \leq n < 6$,

R⁸ in the formulae (2) and (3) being a linear, saturated or unsaturated, aliphatic group having 17 to 30 carbon atoms,

-X- in the formulae (2) and (3) being any one of the following moieties,



wherein R³ is a C₃-C₈ alkylene group or a cycloalkylene group, R⁴ is a C₄ - C₂₀ aliphatic or alicyclic group having at least one group selected from the group consisting of carboxyl, carbonyloxy and hydroxyl groups,

p, q, r and s each is a number with $0 \leq p \leq 200$, $0 \leq q \leq 200$, $0 \leq r \leq 3$, and $0 \leq s \leq 3$, provided that $0 \leq p+q \leq 200$ and $1 \leq q+r+s \leq 3$; and

a silicone unctuous agent which is liquid at 25°C in a weight ratio of from 1:0.01 to 1:45.

25. (Original) The composition according to claim 24, wherein the composition comprises the organopolysiloxane wax represented by the formula (1) and the silicone unctuous agent which is liquid at 25°C in a weight ratio of from 1:0.5 to 1:20.